

March 13, 2007– Regular Session

The Swain County Board of Commissioners held a Regular Session on Tuesday, March 13, 2007. Present were Chairman Jones, Vice-Chair Lindsay, Commissioner Monteith, Commissioner Moon and Commissioner Carson.

Chairman Jones called the regular session to order. Commissioner Moon led with prayer and the pledge.

Adjust Agenda

Commissioner Monteith made a motion to adjust the agenda to better facilitate the meeting. Commissioner Carson seconded the motion. A vote was unanimous.

Approval of minutes

Commissioner Carson made a motion to approve minutes from the February 13 regular session. Commissioner Moon seconded the motion. A vote was unanimous.

Public Comments

Citizens listed on the following sign in sheet expressed their concerns during this regular session:

Swain County Commissioners Meeting			
<u>March 13, 2007</u>			
Please sign in if you wish to speak during the Public Comment Period concerning an item on this agenda.			
You will be allowed approximately 3 minutes to speak.			
Name	Address/Phone #	Subject	Organization
Virginia DeBord		~ Reg ~ Sheriff	
David Southards		Sheriff Stat	
Dan Shea			
Robert McMahan		NO	
Mike Clompitt		See Comment Sheet	

Virginia DeBord expressed her concerns regarding the Sheriff’s salary.
David Southards discussed the Sheriff’s record to substantiate a salary increase.
Virginia Hyatt expressed concerns regarding the Sheriff’s salary.
Dan Shea – fire concerns
Robert McMahan was not present.
Mike Clompitt submitted the following comment items:

PUBLIC COMMENT ITEMS

13 MAR 07

- I. Appreciate policy and time available
- II. Courtesy response to individuals, reasonable time frame
 - A. May be written
 - B. May be oral at open meeting
 - C. May be posted via e-mail to "Sunshine List"
- III. Request the Sheriff's department list monthly report on web site
 - A. Response to incidents are public record
 - B. Important info for parents to know of sexual predators living in our area
 - C. Important info for individuals wishing to move to Swain Co.
- IV. Sheriff's budget request
 - A. Use of funds allotted in 2006-2007 budget **FSLA-**
 - B. Budget amendment not required
 - C. Congrats to personnel getting pay raise, budget amendment required

Kindly submitted and request consideration of the aforementioned items by Mike Clampitt,
POB 2000, Bryson City, N.C. 28713
NO attachments.

Tax Collector's Report

Peggy Hyde, Tax Administrator, presented a report to the Board for the month of February. Ad-Valorem tax receivable was reported at \$3,863,602.28. There was \$98,499.04 collected for the month. Total collections year to date were \$4,410,337.26. The tax collection percentage year to date was 93.94%. Total releases were \$2,798.90, total discoveries were \$2,337.45 and total refunds were \$166.97. Commissioner Monteith made a motion to approve the Tax Collector's report as presented. Commissioner Carson seconded the motion. A vote was unanimous.

Resolution establishing additional tax for school capital needs

Commissioner Moon made a motion to adopt the following resolution:



Resolution # 900-2007-5

STATE OF NORTH CAROLINA
COUNTY OF SWAIN

"SUPPORTING LOCAL-OPTION SALES TAX FOR EDUCATION"

WHEREAS, North Carolina is one of the only states that require its counties to pay a fixed percentage of the state's Medicaid services costs; and

WHEREAS, the counties' share of Medicaid services costs is expected to eclipse \$517 million during the 2007-08 fiscal year; and

WHEREAS, the Department of Public Instruction's School Planning section 2006 Long Range Facility Plans recently identified \$9.7 billion of school facility needs over the next five years; and

WHEREAS, Swain County's Average Daily Membership in its public schools has increased nearly 27% from 2001 to 2006.

WHEREAS, due to this significant increase in students, Swain County has been forced to purchase and use trailers for temporary classrooms.

WHEREAS, the county Medicaid mandate is compromising Swain County's ability to meet the demands for new and permanent classroom space and fund other critical school related infrastructure needs; and

WHEREAS, a one cent local-option sales and use tax could generate \$900,000 for Swain County to help meet the demands for new classroom space;

NOW, THEREFORE, BE IT RESOLVED that the Swain County Board of Commissioners urges the North Carolina General Assembly to authorize Swain County to enact a local-option, one cent sales and use tax to be used for public school capital outlay purposes.

Vice-Chair Lindsay seconded the motion. A vote was unanimous

Sheriff - Curtis Cochran

Sheriff Cochran gave the Board the information on discovered invoices from Bob Ogle. Chairman Jones read the statement in the file. This information will be turned over to the District Attorney's office for investigation.

Department Reports

Jeff Delfield presented the following report regarding the library:

Department Head Report
Marianna Black Library
Submitted by Jeffrey Delfield, Swain County Librarian
March 13, 2007

Personnel:

- No changes

Programs:

- **Community Music Jam:** Still going strong, the library has been offering area musicians a chance to jam together. On the first and third Thursday of each month, from 6:00 through 7:30 PM, anyone with a guitar, banjo, mandolin, fiddle (anything unplugged) can come to the library to jam. Many came just to listen, as well. Larry Barnett, of Grampa's Music, facilitates the jams by keeping the music flowing, naming a song, its key signature, etc. Everyone also gets a chance to play a song to the group, if they wish. This program has received funding through the leadership of Jenny Johnson and the Swain County Center for the Arts.
- **Monday afternoon Movies:** Each Monday afternoon 3:30 PM the library has been projecting a movie on to a 8' X 10' screen and using a home theater sound system in its auditorium. Though the movies are geared towards teens and family viewing, the entire community is invited to view them. Popcorn and refreshments are also served, beginning at 3:15 PM. The library also offers coupons for one free movie check out.
- **Randy Miller:** Local Civil War historian presented a lecture on the North Carolina troops of the Civil War. He also brought an impressive collection of authentic weapons and traditional uniforms from the period. November 14, 2006.
- **Volunteer Income Tax Assistance (VITA):** Coordinated with the Swain County Cooperative Extension Service, trained income tax volunteers are utilizing two MBL public computers to assist patrons with their federal income taxes each Tuesday from 10:00 AM – 6:30 PM. This service will continue until March 27, 2007.
- **Gingerbread House Competition:** Modeled on the Grove Park Inn's successful event, we accepted the first 12 Gingerbread Houses. The competition was open to all ages and intended to be a family project. The judges were Charles Heath, Julia Hunt and Debbie Mills. The prizes were donated by Great Smokey Mountains Railroad (four tickets), Jimmy Mac's Restaurant (dinner for four) and Rita's Hallmark Store (\$50 gift basket). November – December 2006.
- **The Big Read:** *To Kill a Mockingbird*, by Harper Lee was this year's pick for the Big Read program. This program chooses a book each year that all of Western North Carolina will read and discuss simultaneously. We will be offering three programs in the month of April: a movie showing, an adult book discussion and a young adult book discussion (dates to be announced).

Quiz Bowl. District 1 Public Library Quiz Bowl held at the Swain County Administration Building, Superior Court Room. Teams from Swain, Haywood, Transylvania and Cherokee Counties competed on March 25, 2006 (winner to be announced).

MBL BOARD:

The Marianna Black Board of Trustees had three resignations, two of them long-time members of the board. Susan Bunn (Chairperson), Ed Sharp (Secretary) and Jack Becknell each respectfully handed in resignations in January. Their replacements are Chester Bartlett, Kathy Proctor and Carole Shell. Charles Killebrew is interim Chairperson and Margie Douthit is interim Secretary.

The Marianna Black Board of Trustees revised its By-Laws in November - December, 2005, and adopted them in January 2006. One major change being that members will now serve three-year terms, with a limit of two terms.

REGIONAL NEWS:

Gail Findlay Retirement. After 11 years as Director of Fontana Regional Library, Gail Findlay retired on February 28, 2006. The interim regional director is Karen Wallace, who is the Macon County Librarian and has been employed by Fontana Regional for 13 years.

Amnesty. A "Thank You Gail" amnesty was held from February 20-25, 2006. Any patron who entered the library and said, "Thank you Gail" had overdue fines forgiven. Fines were forgiven for all books which were returned late during that week, as well. This amnesty allowed many families which may have hit an unlucky spell or hit hard times and were reluctant to come back to the library, return to utilize services offered. It also allowed the library to collect long-overdue books, which will often never be returned.

LIBRARY CLOSINGS THROUGH OCTOBER OF 2006:

April 14 – Good Friday
May 29 – Memorial Day
July 4 – Independence Day
September 4 – Labor Day

****ATTACHED** – Stanley Warren Black, III contacted the library and sent this biographical essay of his grandmother, Marianna Black. This essay was also posted to the library's web page.

Marianna Rosalind Fischer Black

By Stanley Warren Black, III

My grandmother Marianna Rosalind Fischer was born on 28 October 1874 in O'Fallon, Illinois, the daughter of Louis Friedrich Fischer and his second wife Josephine Engelmann, whom he married following the death of his first wife, Laura Owens. She and her brother Louis Engelmann Fischer grew up in a household with their half-siblings Charles Owen Fischer and Louise Mary Fischer. Their father Louis had come from Germany in 1859 at the age of 20 and arrived in Belleville, Illinois, where he soon joined the Union Army and had a distinguished record in the Civil War. Later he worked for the Tiedemann Milling Company in O'Fallon as bookkeeper, secretary, and eventually manager. Marianna's mother was from the Engelmann family prominent among the German community in the Belleville area since the 1830's. Marianna was named for her paternal grandmother in Germany. She and her siblings attended the public school in O'Fallon and the German Church School to improve their command of German, which was spoken in the home by the German community. A program from the Dedication of the new Town Hall of O'Fallon in 1890 shows that Marianna (age 16) played the role of Susan in the play "Turn Him Out" along with George Lienesch, her future brother-in-law. Following public school, Marianna was sent for a year to Shurtleff College in Upper Alton, Illinois, where she was a classmate of her future sister-in-law, Amy Black. Her brothers attended the Manual Training School in St. Louis. Louis graduated from the University of Illinois at Champaign with a degree in Engineering and became a prominent industrialist.

In 1896, Stanley Warren Black had moved from Bridgeport, Illinois to Bryson City, North Carolina to study law with his sister Amy's new husband Thad D. Bryson. When Marianna came to North Carolina in 1898 to visit her classmate, she and Stanley met, then became engaged, and were married in O'Fallon on March 6, 1901, after Stanley had passed the bar and begun practice in the new firm of Bryson and Black. A bust of Goethe, which I still have, was a wedding present from her father. They first rented and then purchased a small house on a hill overlooking the town. Later twice enlarged, this became the home for their four children and summer vacation spot for eight grandchildren. Marianna enjoyed playing the piano, talking on the telephone with her

circle of women friends, and carrying on an extensive correspondence with her children, grandchildren and many friends. She wrote at a little desk given her on her 16th birthday by her grandfather Engelmann. Stanley tells of how an old friend of his, Col. Bason, fascinated by Marianna's beauty and intelligence, remarked "Young man, you always do what she says and you will never go wrong." My grandfather later said "And how true it has always been."

Their first child was stillborn in O'Fallon and was buried in the Engelmann family cemetery as L. F. Black. Of their other four children, Ellen Engelmann Black earned her Ph. D. in Sociology from the University of Chicago with a dissertation on the problems of the mountain people of North Carolina and became Commissioner of Welfare for North Carolina from 1944 to 1962 and then for the United States from 1962 to 1967. Stanley Warren Black, Jr. became Executive Vice President and Secretary of North Carolina National Bank, the predecessor of today's Bank of America in Charlotte, NC. Louise Black Cox moved to New York, became a buyer for a large department store, and then married Oscar S. Cox, who became an attorney for the US Treasury Department and had a hand in drafting the Lend-Lease Act and the military commissions for trying enemy combatants in World War II. They became socially prominent in Washington, DC. Fischer Sheffey Black was educated as an electrical engineer and worked for several electrical companies, became editor of *Electrical World* and then moved to Florida, where he joined Tampa Electric Co, retiring as Vice Chairman of the Board.

In Bryson City, Stanley and Marianna joined the Presbyterian Church as a compromise between her Lutheran and his Baptist background. Over the years, she served many times as president of the women of the church and as Sunday School teacher. Her Scrapbook dated 1957 contains many devotional clippings and not a few poems in her own hand. She expressed her philosophy as

"I will follow the upward road today.

"I will keep my face to the light.

"I will think high thoughts as I go my way.

"I will do what I know is right.

"I will look for the flowers by the side of the road.

"I will laugh and love and be strong.
"I will try to lighten another's load
"This day as I go along."

About 1920, she organized the first Parent-Teacher Association and became its president, while her husband was serving as president of the School Board. Through their efforts and those of others the Swain County schools were extended from ungraded four month schools to twelve grades for nine months. Marianna also organized the Women's Club of Bryson City and served as its president.

Her most important contribution to the community was through her establishment in 1929 of the town library in the grand jury room of the courthouse, which was unused most of the week. She would bring a collection of books two afternoons a week in a suitcase and lend them out to mothers and children who came to borrow. Eventually shelves were built and I remember going there often as a child to read the books. In 1944 the Marianna Black Library became part of the Fontana Regional Library System. A new building was dedicated in 1969 and has now served the area for some 37 years. Marianna died on 27 November 1960 in Bryson City, NC following a trying airplane trip to Raleigh, NC for a family Thanksgiving at Ellen's home, which I attended. I well remember her commenting upon arrival "This is the damndest day I've ever spent." Stanley spent much of the next few years overseeing the building of the Marianna Black Educational Building for the Bryson City Presbyterian Church. I believe he watched the Cherokee Indian stonemasons lay every stone.

Fall, 2006

Peggy Hyde presented the following report:

Tax

One day you all will ask me for a report and our office will be so calm I will have nothing to report!!

As usual, our office is in a flurry – this week we sent out 1,900 notices on changes in value. There was approximately one thousand transfers in property and approximately five hundred houses with a certificate of occupancy for 2007. Needless to say, Russ and Beverley has been very busy in the appraisal office. For the first time since I have been in office, our transfers will be current by the end of this month. Beverley was in school last week and she will now be in a position to do new construction on her own. Russ is finally going to begin serious work on the reappraisal. We have a lot to do in a short time and I am certain we can do it.

The tax collectors side of our office has a new look!!!! Each collector has her own station and for the first time each is facing the door. I am very pleased with the results. Russ also has his own office to work on the reappraisal. I will be moving into a larger office soon. The mapping (GIS) department has moved down the hall in order to facilitate the Register of Deeds office with more room. Thank you so much for allowing us these changes for a better working environment!!!!

Second notices will be going out by the end of March. We will be advertising delinquent taxes in the paper in May. For the first time motor vehicles were billed for the second time and we have had several irate tax payers. We are going to be in a position in the future to bill motor vehicles twice yearly -- a good move for the collectors.

Bernice will be in school in May as will Russ. Continuing education is very important and I am very proud of our staff for attending classes and seminars. We are cross training when possible.

As always, I cannot express how very much I appreciate the support I have received from each of you. I am grateful for my job and your support.

Well permit fees

Commissioner Carson made a motion to add this item to the agenda for the Board to consider approval of. Commissioner Monteith seconded the motion. A vote was unanimous.

**SWAIN COUNTY HEALTH DEPARTMENT
WELL PERMIT FEES**

NEW WELL PERMIT	\$300.00
WELL ABANDONMENT PERMIT	\$100.00
WELL REPAIR PERMIT	\$ 50.00
WELL SITE CONSULTATIVE VISIT	\$ 50.00

Manager's Report

Kevin King, County Manager gave an update on the projects through out the County.

Informal Discussion

None

Adjournment

There being no further business to discuss at this time, Commissioner Carson made a motion to adjourn. Seconded by Commissioner Moon, a vote was unanimous.

Respectfully Submitted,

Kevin S. King
Clerk to the Board
Swain County Commissioners

Glenn Jones
Chairman
Swain County Commissioners